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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,

Plaintiff,

v.

DARRYL L. PARRISH and  
ADVANCED TRAILER SALES AND  
SERVICE, LLC,

Defendants.

No. 2:14-cv-02045-MCE-CKD

**ORDER**

Presently before the Court is Catherine M. Corfee's unopposed Motion to Withdraw as Counsel for Defendant Advanced Trailer Sales and Service, LLC ("Defendant") (ECF No. 11). For the reasons that follow, Corfee's Motion is granted.

Defendant is currently represented by both Corfee and Charles L. Hastings. According to Corfee, she and Defendant agreed on November 17, 2014 that she would cease representing Defendant in this matter, as Defendant preferred to proceed with only Hastings as counsel. Despite her attempts, Corfee has been unable to obtain Defendant's and Hastings's written consent to a substitution of attorneys. See Local Rule 182(g).

Because granting Corfee's Motion will not leave Defendant in *propria persona*,

1 Local Rule 182(d) is inapplicable. California Rule of Professional Conduct 3-700(C)(5)  
2 permits a member of the State Bar of California to seek to withdraw from representation  
3 when “[t]he client knowingly and freely assents to termination of the employment.” Of  
4 course, “[a] member shall not withdraw from employment until the member has taken  
5 reasonable steps to avoid reasonably foreseeable prejudice to the rights of the client,  
6 including giving due notice to the client, allowing time for employment of other  
7 counsel, . . . and complying with applicable laws and rules.” Cal. R. of Professional  
8 Conduct 3-700(A)(2).

9       There is no indication that granting Corfee’s Motion will cause any prejudice to  
10 Defendant, as Hastings will continue to represent Defendant in this case. According to  
11 Corfee, she and Defendant mutually agreed to the termination of her employment on  
12 November 17, 2014. Although Corfee was unable to obtain either Defendant’s or  
13 Hastings’s written consent, Defendant has not filed an opposition to Corfee’s Motion or  
14 otherwise conveyed to the Court that it does not knowingly and freely assent to Corfee’s  
15 termination.

16       Accordingly, Corfee’s Motion to Withdraw as Counsel for Defendant Advanced  
17 Trailer Sales and Service, LLC (ECF No. 11) is GRANTED. Catherine M. Corfee is  
18 hereby relieved as counsel of record for Defendant. Charles L. Hastings shall remain as  
19 counsel of record for Defendant. The hearing on this matter, currently scheduled for  
20 April 16, 2015, is hereby VACATED.

21       IT IS SO ORDERED.

22 Dated: April 6, 2015

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26 MORRISON C. ENGLAND, JR., CHIEF JUDGE  
27 UNITED STATES DISTRICT COURT  
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